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BY ECF:  
September 22, 2020

**MEMO ENDORSED**

Honorable Sidney H. Stein  
United States District Court Judge  
United States Courthouse  
500 Pearl Street  
New York, New York 10007

Re: United States v. Nicholas Falu,  
19 Cr 795 (SHS)

Your Honor,

I am writing on behalf of the defendant, Nicholas Falu who as the Court is aware, has been released on bond under this Court's Order since November of 2019 under the following conditions:

- 1-\$150,000.00 PRB co-signed by three individuals
- 2- Home detention with GPS monitoring
- 3- Surrender of Passport
- 4- Drug testing
- 5- Travel only in the SDNY and EDNY.

Since his release from custody Mr. Falu has fulfilled all of his pre-trial release requirements including graduating from the Court's Focus Forward Program. This Saturday, September 26<sup>th</sup> is the one year anniversary of his father's death and just the immediate family would like to gather at his father's grave at Woodlawn Cemetery in the Bronx and then have a small family dinner again just the immediate family at his brother's house located at 311 Howe Avenue in the Bronx. Thus, Mr. Falu would most respectfully request that he be given permission to attend these two events between the hours of 12:00PM to 8:00PM. His Pre-trial officer Joshua Rothman and the Government do not oppose the request to go to the cemetery however they do oppose the request for the family dinner on the basis that an in-

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person social gathering is not an appropriate exception during the COVID-19 pandemic. This opposition to the family dinner is not specific to Mr. Falu but is an office policy. Mr. Rothman even noted in his objection that I should inform the Court that Mr. Falu is in complete compliance with all of his Pre-Trial Supervision rules. While I understand the Government's general objection this is a very small group, 10 people, all immediate family members and thus, could be considered an individual "pod" and I am assured all safety precautions will be kept. Thus, the threat of spreading the virus is quite minimal if any at all.

Therefore, I would respectfully request that the Court grant the above request. Thank you very much for your consideration of this matter

Respectfully yours,

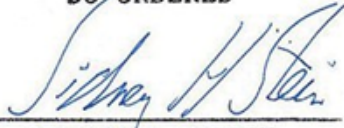
*David Touger*

David Touger

cc: AUSA Hobson  
Pre-Trial Services Officer Joshua Rothman

**Request granted.**

**Dated: New York, New York  
September 22, 2020**

SO ORDERED  
  
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SIDNEY H. STEIN  
U.S.D.J.